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**UNITED STATES BANKRUPTCY COURT**  
**EASTERN DISTRICT OF CALIFORNIA—SACRAMENTO DIVISION**

<p>In re:</p> <p>LESTER E. SKELLEY III,</p> <p>JULIE A. SKELLEY,</p> <p style="text-align: right;">Debtors.</p>	<p>) <b>Case No.: 2010-49800-E-13L</b></p> <p>) <b>DCN: DBJ-4</b></p> <p>) <b>MOTION TO VALUE</b></p> <p>) <b>COLLATERAL OF GEMB</b></p> <p>) <b>LENDING, INC.</b></p> <p>) <b>DATE: May 10, 2011</b></p> <p>) <b>TIME: 2:00 p.m.</b></p> <p>) <b>DEPT: E</b></p> <p>) <b>JUDGE: Sargis</b></p>
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Debtors, Lester E. Skelley, III and Julie A. Skelley, by and through Douglas B. Jacobs, their attorney of record, move the Court herein to value the collateral securing Debtors' indebtedness to GEMB Lending, Inc., to wit the debtors' personal property described as a 1999 Bounder M-34J 35 foot motor home (hereinafter "Vehicle"). This motion is based on the following:

1. Debtors are the owners and operators of the Vehicle and are familiar with the age, mileage, mechanical and cosmetic condition of the Vehicle.
2. Debtors filed their petition for bankruptcy on November 11, 2010.
3. Debtors purchased the Vehicle in 2001, more than 910 days prior to the filing of the petition.

- 1 4. The Vehicle is in good condition as it is free to any major defects but would need
- 2 some reconditioning if it were to be sold at retail.
- 3 5. At the time of filing, the odometer showed that the vehicle had 30,000 miles.
- 4 6. Based on NADA Guides Vehicle Pricing & Information, the low retail value of the
- 5 Vehicle in its present condition is \$23,009.00. A true and correct copy of the NADA
- 6 Guides Vehicle & Pricing Information pricing report is filed herewith as Exhibit A.
- 7 7. However, pursuant to GEMB Lending, Inc.'s Claim Number 10, filed herewith as
- 8 Exhibit B, the collateral is only worth \$15,550.00.
- 9 8. Thus, Debtors also agree to value the Vehicle at \$15,550.00.
- 10 9. At the time of filing, GEMB Lending, Inc.'s secured claim was approximately
- 11 \$36,350.00.
- 12 10. This exceeds the value of the Vehicle by approximately \$20,800.00, leaving GEMB
- 13 Lending Inc.'s claim, secured by a lien on the Vehicle's title, undercollateralized.
- 14 11. GEMB Lending, Inc. is adequately protected in that Debtor maintains correct
- 15 automobile insurance on the Vehicle and adequate protection payments are provided
- 16 for in the Chapter 13 Plan.
- 17 12. Debtors' motion is based on this motion, on the notice of this motion, points and
- 18 authorities, declaration of Debtors, and Exhibits A & B.

19 WHEREFORE, Debtors pray:

- 20 1. That the court enter its order valuing Debtors' 1999 Bounder M-34J 35 foot motor
- 21 home at \$15,550.00;
- 22 2. That the balance of such claim is an unsecured claim; and
- 23 3. Any other such relief the Court may deem proper.

24 Respectfully,

25 Dated: 4/13/11

JACOBS, ANDERSON, POTTER & CHAPLIN, LLP

26 By: 

27 Douglas B. Jacobs, Attorney for Debtors